

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MAACO FRANCHISING, INC.,
Plaintiff,

v.

PIERRE PHILIPPE AUGUSTIN, et al.,
Defendants.

Civil Action No. 09-4548

ORDER

April 20, 2010

Pollak, J.

AND NOW, this 20th day of April, 2010, for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that the plaintiff's motion for a preliminary injunction (docket no. 18) is GRANTED IN PART and DENIED IN PART. The request for a preliminary injunction enforcing the covenant not to compete is hereby GRANTED. The request for a preliminary injunction protecting against misappropriation of Maaco's trade secrets is DENIED. Defendants Pierre Philippe Augustin, Virginie Augustin, and Phil's Auto Body, Inc, are hereby ordered, from the entry of this order until June 30, 2010, not to:

(1) Divert or attempt to divert any business or customer of the Maaco franchise to any competitor, by direct or indirect inducement or otherwise, or to do or perform, directly or indirectly, any other act injurious or prejudicial to the goodwill associated with the

franchise;

(2) Employ or seek to employ any person who is at this time employed by Maaco or any other franchisee of Maaco, or otherwise directly or indirectly to induce such person to leave his or her employment thereat;

(3) Own, maintain, engage in, be employed by, lease real estate to, finance, or have any interest in any business specializing in whole or in part in providing automobile painting or body repair services or products at the premises of the Augustins' former Maaco franchise or within a ten-mile radius of the Augustins' former Maaco franchise.

BY THE COURT:

/s/ Louis H. Pollak
Pollak, J.